PTO/S8/088 (08-03)

Approved for use through 07/31/2008, OMB 0651-0031 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid CIMB control number. Complete if Known Substitute for form 1449/PTO Application Number 10/817,058 INFORMATION DISCLOSURE Filing Date April 2, 2004 ATEMENT BY APPLICANT First Named Inventor John E. Baker Art Unit 1653 (Use as many sheets as necessary) **Examiner Name** MAYER, Suzanne Marie Attorney Docket Number 1 of 1 BA-32448(1) NON PATENT LITERATURE DOCUMENTS Cite Examiner Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of 12 Initials' No.1 the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue Flaherty et al., Pharmacokinetics and erythropoietic response to human recombinant erythropoietin in healthy men, Clin. Pharmacol. Ther. 47(5): 557-564 (1990) Miller et al., Phase I-II Trial of Erythropoietin in the Treatment of Cisplatin-Associated Anemia, J. Nathional Cancer Institute 84(2): 97-103 (1992) Platanias et al., Treatment of Chemotherapy-Induced Anemia with Recombinant Human Erythropoletin in Cancer Patients, J. Clinical Oncology 9(11): 2021-2026 (1991) Veng-Pedersen et al., Kinetic Evaluation of Nonlinear Drug Elimination by a Disposition Decomposition Analysis. Application to the Analysis of the Nonlinear Elimination Kinetics of Erythropoietin in Adult Humans, J. Pharmaceutical Sciences 84(6): 760-767

ne M. (Nayer) 4 loouto s Signature 2

*EXAMINER: Initial if reference considered, whether or not obtain is in conformance with MPEP 609. Draw line through citation if not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (options). Applicant is to place a check mark here if English language Translation is attached.

This collection of Information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandra, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

AUGUST 5, 2005